

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
vs.)	CASE NO. DNCW508CR48-05
)	(Financial Litigation Unit)
ANDREA KENNEDY COHEN,)	
Defendant,)	
and)	
)	
EUROVIA,)	
Garnishee.)	

AMENDED ORDER OF CONTINUING GARNISHMENT

THIS MATTER is before the Court on the United States’ Motion to Amend Order of Continuing Garnishment. Judgment in the criminal case was filed on February 9, 2010 (Docket No. 130). As part of that Judgment, Defendant was ordered to pay an assessment of \$100.00 and restitution of \$48,619.37 to the victims of the crime. *Id.*

On April 2, 2018, the Court entered a Writ of Continuing Garnishment (“Writ”) (Docket No. 237) to Garnishee, The Lane Construction Corporation, (“Garnishee Lane”). The United States is entitled to a wage garnishment of up to twenty-five percent of net income and has satisfied the prerequisites set forth in 15 U.S.C. §1673. Defendant was served with the Writ on April 6, 2018, and Garnishee Lane was served on April 9, 2018. Garnishee Lane filed an Answer on April 24, 2018 (Docket No. 240), stating that at the time of the service of the Writ, Garnishee Lane had in its custody, control or possession property or funds owned by Defendant, including non-exempt, disposable earnings.

On October 18, 2018, the Court docketed a letter from Garnishee Lane informing the Court of the impending acquisition of its Plants and Paving divisions by Eurovia, which will impact the

garnishment of Defendant, Andrea Kennedy Cohen (Docket No. 243). Defendant is expected to become an employee of Eurovia.

IT IS THEREFORE ORDERED that an Amended Order of Continuing Garnishment is hereby ENTERED in the amount of \$28,993.47 computed through April 2, 2018. Garnishee Eurovia ("Garnishee") will pay the United States up to twenty-five percent of Defendant's net earnings which remain after all deductions required by law have been withheld and one hundred percent of all 1099 payments, and Garnishee will continue said payments until the debt to the Plaintiff is paid in full or until Garnishee no longer has custody, possession or control of any property belonging to Defendant or until further order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

Clerk of the United States District Court
401 West Trade Street
Charlotte, North Carolina 28202

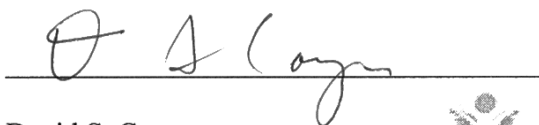
In order to ensure that each payment is credited properly, the following should be included on each check: Court Number DNCW508CR48-05.

IT IS FURTHER ORDERED that Garnishee will advise this Court if Defendant's employment is terminated at any time by Garnishee or Defendant.

Plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment Defendant would normally receive may be offset and applied to this debt.

SO ORDERED.

Signed: October 25, 2018



David S. Cayer
United States Magistrate Judge

